

RECEIVED
CENTRAL FAX CENTER
SEP 26 2006

Application Serial No. 10/646,543
Date September 26, 2006
Reply to Office Action dated July 26, 2006

Page 5 of 7

REMARKS

Upon entry of this Amendment, claims 1-23 remain in the Application. Claims 8, 10 and 16-23 have been withdrawn from consideration as being directed to a non-elected invention. Claims 8 and 10 are withdrawn as being directed to a non-elected species of generic claim 1. Claims 9, 13 and 14 are canceled. This Amendment is responsive to the Final Office Action of July 26, 2006. These communications have been received and carefully considered. In response thereto, this Amendment is submitted. It is respectfully submitted that, by this Amendment, all bases of rejection and objection are traversed and overcome. Reconsideration is, therefore, respectfully requested.

Entry of this amendment under the provisions of 35 C.F.R. 1.116 is respectfully requested. It is submitted that the propose amendments are presented to place the application in a condition suitable for allowance. Alternately, the amendment is submitted in a effort to remove or reduce issues for consideration on appeal. It is submitted that this amendment reduces the number of claims and issues necessary for consideration on appeal and seeks to place the claims in a form more suitable for appeal. Entry of this amendment under the provisions of 35 C.F.R. 1.116 is respectfully requested.

Claims 1, 2, 4-7, and 11-15 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicant regards as the invention. Claim 1 has been amended paying careful attention to the concerns raised by the Examiner in the Office Action. It is submitted that by this Amendment, claim 1, as well as claims 2, 4-7 and 11-15 from their dependence, now comports with the requirements of 35 U.S.C. § 112, second paragraph. These issues were raised in the most recent office action. Thus this amendment represents the first opportunity the Applicants have had to address this matter. Entry of these claim amendments under the provisions of 37 C.F.R. 1.116 is respectfully requested.

Claims 1, 3-5, 7, 11, and 15 currently stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ito (Japanese Application 60-181264). The Examiner contends that the Ito reference teaches a rotating or linearly oscillating mask (Fig. 1D) having a ratio of free cross sections of the perforations discretely present in the mask, and that the intermediate web surface

BEST AVAILABLE COPY

Application Serial No. 10/646,543
Date September 26, 2006
Reply to Office Action dated July 26, 2006

Page 6 of 7

varies over the total surface and the respective distance of the substrate surface. (Abstract and Figures).

Independent claims 1 and 3 have been amended to include the limitation in which the substrate and the mask are movable together relative with respect to the plasma source by a rotation of both the substrate and the mask about a common axis. This limitation has been incorporated from dependant claims 13 and 14 as previously presented. Claims 13 and 14 have been cancelled by this action. It is submitted that the subject matter of claims 13 and 14 was not previously rejected in view of the Ito reference as the Ito reference does not disclose such limitation. This limitation has been previously considered by the Examiner and, as such, would not constitute new matter for further consideration or search. It is respectfully submitted that the Applicant's inventions as set for in claim 1 and as set forth in claim 3 are not taught, anticipated, or rendered obvious by the cited reference. Entry of amended claims 1 and 3 under the provisions of 37 C.F.R. 1.116 is respectfully requested.

Claims 2, 4, 5, 7, 11, and 15 all depend from independent claim 1 to incorporate all of the limitations therein. Due to this dependency, it is submitted that the Applicant's invention as set forth in these claims is not taught, anticipated or rendered obvious by the cited reference for the reasons discussed previously in conjunction with claims 1 and 3.

Claims 1, 2, 4-7, 11 and 15 stand rejected under 35. U.S.C. 102(b) as being anticipated by Hollier. Claims 1 and 3 have been amended to include the limitation in which the substrate and the mask are movable together relative with respect to the plasma source by a rotation of both the substrate and the mask about a common axis. This limitation has been incorporated from dependant claims 13 and 14 as previously presented. Claims 13 and 14 have been cancelled by this action. It is submitted that the subject matter of claims 13 and 14 was not previously rejected in view of the Hollier reference as the Hollier reference does not disclose such limitation. This limitation has been previously considered by the Examiner and, as such, would not constitute new matter for further consideration or search. It is respectfully submitted that the Applicant's inventions as set for in claim 1 and as set forth in claim 3 are not taught, anticipated, or rendered obvious by the cited reference. Entry of amended claims 1 and 3 under the provisions of 37 C.F.R. 1.116 is respectfully requested.

Application Serial No. 10/646,543
Date September 26, 2006
Reply to Office Action dated July 26, 2006

Page 7 of 7

Rejoinder of withdrawn claims 8 and 10 is sought by this action as it is believed that the claims depend from allowable claim 1.

Attention is directed to the certified translation of the priority document that is made of record in this matter. Although Applicant previously made the translation of record in the response dated January 4, 2006, the certified translation of the priority document is resubmitted to facilitate disposition of this matter. It is respectfully submitted that, in view of this translation, the Applicant can now rely upon foreign priority papers to overcome the rejection of claims 1-7, 11, and 15 under 35 U.S.C. § 102(a), as being anticipated by Bijkerk.

Claims 1-7, 11 and 15 stand rejected under 35 U.S.C 102 (a) as being anticipated by Bijkerk. In view of the submission of the priority document, it is submitted that the Bijkerk reference is removed from consideration in this matter. In the alternative, it is submitted that the Bijkerk reference lacks any teaching or suggestion that the substrate and the mask are movable together relative with respect to the plasma source by a rotation of both the substrate and the mask about a common axis. For these reasons, it is submitted that the Applicants' invention as set forth in claims 1-7, 11 and 15 is not taught, anticipated or rendered obvious by the cited reference.

Claims 12 and 13 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hollier or Bijkerk. Claim 13 has been canceled. Claim 12 depends from claim 1 to contain all of the limitations found therein. By this dependency, it is submitted that the Applicants' invention as set forth in claim 12 is not taught, anticipated, or rendered obvious by the cited references for the reasons discussed previously in conjunction with claim 1.

Claims 12-14 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito. The Examiner states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the evaporation source of Ito with a magnetron sputtering source. The Examiner contends that magnetron sputtering sources are well known in the art and the motivation exists for replacing the evaporation source of Ito with a magnetron sputtering source to provide an alternate and equivalent coating material source.

Claims 13 and 14 have been canceled. Claim 12 depends from claim 1 to contain all of the limitations found therein. By this dependency, it is submitted that the Applicants' invention as set forth in claim 12 is not taught, anticipated, or rendered obvious by the cited reference for the

Application Serial No. 10/646,543

Date September 26, 2006

Reply to Office Action dated July 26, 2006

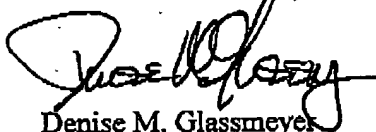
Page 8 of 7

reasons discussed previously in conjunction with claim 1.

In summary, claims 1 and 3 have been amended by this action. Discussion has been presented as to why the Applicants' invention as set forth in claims 1-7 and 11, 12 and 15 is not taught, anticipated, or rendered obvious by the cited references. Applicant further requests rejoinder of claims 8 and 10 as they depend from amended claim 1. It is respectfully submitted that in view of this Amendment and the discussion, the Applicants' invention as set forth in claims 1-7, 11, 12 and 15 is in a condition suitable for allowance. Notice of allowance is, therefore, respectfully requested.

Respectfully submitted,

YOUNG & BASILE, P.C.



Denise M. Glassmeyer
Attorney for Applicant(s)
Registration No. 31831
(248) 649-3333
(248) 649-3338 (fax)
glassmeyer@ybpc.com

3001 West Big Beaver Road, Ste 624
Troy, Michigan 48084-3107

Dated: September 26, 2006
DMG/ljo